

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

APR 30 2024

AT BALTIMORE
CLERK, U.S. DISTRICT COURT
DISTRICT OF MARYLAND
BY  DEPUTY

RYAN PARKS,

Petitioner.

v.

CRIMINAL NO. TEJ-18-317

CIVIL NO. TEJ-22-3058

UNITED STATES OF AMERICA,

Respondent.

PETITIONER'S REPLY TO GOVERNMENT'S MOTION IN OPPOSITION TO PETITIONER'S MOTION REQUESTING DISCOVERY MATERIALS AND MOTION FOR LEAVE TO AMEND 2255 MOTION.

Comes now, Mr. Ryan Parks in response to the Government's opposition to my motion requesting Discovery Materials, and Motion for leave to amend 2255 Motion. For the reasons that follow, this Court should Deny the Government's Motion in opposition to both the request for Discovery Materials, and the Motion for leave to amend 2255. The reason being is that the Government's claims are Meritless and frivilous.

1. In regards to the motion requesting discovery materials.

I the petitioner Mr. Ryan Parks has as per the Honorable Judge Tinsley requested, have specifically identified exactly which categories of information that I am requesting. They are as follows, Facebook Messages between me and Ms. James, the supposed tagged messsages between me and Ms. Zanakis along with her tagged profile, the Facebook photo of Malayah Garcia holding a white rose from valentines day, the photos which the government offered as supposed pictures of

" AT " without any evidence that this was accurate at all as " AT " whomever that is was not present in Court to address the allegations, they also offered the same type of evidence regarding a " GS " whom also was not present in Court, the phone call between detective and Ms. James, and finally the June 22 statement recording between me and detectives. Also I did send an explanation to the Courts as to why I was requesting said materials and how they were relevant to my 2255 claims. The Courts previous order requesting an explanation along with documents requested was received late from institutional mail as to the delay, however this request of explanation was for the Judge and not the prosecution so their argument is without merit. Nor are the requested materials overly voluminous as the government is arguing. Lastly none of the discovery materials which I am requesting were introduce at trial, except for the photos which although they came through at trial they shouldn't have as there was no evidence supporting the claims the government was making in regards to " AT " , " GS " , and Ms. Garcia, nor were they made available at trial to confirm or deny the allegations.

2. In regards to my 2255 claims.

The government in opposition to my amended 2255 motion claims that my 2255 motion is untimely, however this claim is far from the truth, as I filed my 2255 motion within the one year window of the Supreme Courts Decision to not take up my

Writ of Certiorari, although it made it to the docket. Although the Court of Appeals entered a judgement on March 10, 2021, I promptly filed a Certiorari petition within the 90 days period. So the elongated argument made by the government in regards to my 2255 being untimely is a frivolous claim. See attached exhibit No. 1.

3. In regards to the ineffective assistance of counsel claims.

First my claims of ineffective assistance of counsel are clearly supported by the trial records. Second, the substantial error which occurred as a result of Mr. Balters ineffective assistance of counsel are completely unreasonable as any competent counsel wouldn't have made those mistakes especially when he had prior knowledge but failed to do his diligence. Nor was his part of any reasonable trial strategy unless said strategy was to fail in representation to defendant. The government fails to state what said reasonable trial strategy was argued nor give any explanation of how my claims are not supported in this case by trial records.

CONCLUSION

In accordance I the petitioner Mr. Parks requests that my motion for leave to Amend Section 2255 motion, and proposed Amended section 2255 motion to Vacate, and motion requesting discover materials filed on February 12, 2024, be approved. Lastly the petitioner request that the

government's request to supplement it's response denied baseed on the facts that all arguments made in 03/19/24 response were without merit and frivilous, and made only to comply with deadline instead of addressing my motion which they were supposed to do but are instead trying to extend filing time.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on APRIL 25, 2024, a copy of the foregoing was mailed to. the CLERK OF THE COURT at 101 LOMBARD ST. BALTIMORE. MD. 21201. And I request the CLERK OF THE CORT to ECF one copy to the United States Assistant Attorney. Jonathan S. Tsuei.

Respectfully Submitted
Mr. RYAN PARKS
Reg. NO. 64089-037
F.C.I. Pekin.
P.O. Box. 5000
Pekin, Illinois, 61555

Sign Ryan Parks

Date 04/25/24